

DEC 11 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
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TRACY D. CARTER,)	Civil Action No. 7:09-cv-00498
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
VA DEPT. OF CORRECTIONS, <u>et al.</u> ,)	By: Hon. James C. Turk
Respondents.)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that petitioner's petition for a writ of habeas corpus is **DISMISSED** without prejudice, pending motions are **DENIED as moot**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner.

ENTER: This 10th day of December, 2009.

[Signature]

Senior United States District Judge